REMARKS/ARGUMENTS

I. Introduction

This response is submitted in response to the Office Action dated August 23, 2005. Claims 1-6 and 13-19 have been previously canceled. Therefore, claims 7-12 are now pending.

Claims 7-12 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,563,917 to Sabinson et al. (hereinafter "the Sabinson patent").

Applicants will now address and overcome the Examiner's rejections after summarizing the invention.

II. Discussion of the Invention and Distinctions over the Applied Reference

The present invention is directed to methods and systems for utilizing an Advanced Intelligent Network (AIN) to perform an Automatic Route Selection (ARS) function to supplement the ARS functionality in a telephone switch. Additionally, unlike the telephone switch, the AIN can perform conditional logic prior to implementing the ARS functionality, such as by using a Service Control Point (SCP). For instance, some switches are not designed to allow for ARS functionality following the implementation of AIN services (such as call screening, call forwarding, voice dialing, etc.). The methods of the present invention allow for switch capabilities to be taken into consideration by the SCP with different ARS methods being used to provide ARS functionality depending on the switch type being used to service a particular service subscriber, by incorporating the switch capabilities of a customer into the Customer Database. In such a case, as part of implementing ARS functionality, the SCP determines the method for providing ARS by looking up the associated CPR indication, which depends on whether the originating switch is or is not of a type that supports switch based ARS functionality following the implementation of AIN based services through a call from an SSP to the SCP. In the

case where the customer's switch does not support a switch-based automatic route selection table, **SCP based** ARS functionality (outside the switch) is used to implement ARS along with the particular AIN service. However, in cases where the SCP determines through the CPR for a given call that because the switch type servicing a subscriber supports ARS functionality for a call following provision of an AIN service, **the SCP directs** that the switch based ARS functionality be used.

An example of such ARS services would be the use of a preferred long distance carrier by the subscriber. Without the present invention, if the subscriber utilized a switch that didn't provide ARS functionality following the use of AIN services the subscriber wouldn't be routed to the least cost carrier following the implementation of one of those AIN services on a particular call.

With the present invention, the SCP can determine, based on the associated CPR which is indicative of a subscriber being connected to a switch with the above limitations, that the SCP should provide its own ARS functionality to route the call using the least cost carrier.

In contrast to the present invention, the Sabinson patent utilizes an SCP to route a call based on the **location** of the calling party number where a telephone call to an abbreviated destination telephone number is received at a service switching point (Abstract).

Unlike the present invention, the Sabinson patent discloses the operation of the SCP as being irrelevant to the **type** of switch (SSP) at the origination of the call. The Sabinson patent lists some of the types of SSPs that can operate with the SCP as: 5Ess, AXE10, 1AESS, and DMS-100 (col. 8, lines 61-62). The Sabinson patent goes on to describe what software releases on each of these switch types are advantageous for its system (col. 8, line 62 thru col. 9, line 7). A description of how the required information gets to the SCP when a non-AIN switch is the originating switch is also described (col. 15, line 56 thru col. 16, line 13).

In all of these cases, the same information is sent to the SCP, namely the dialed number, the dialing number, and the identity of the originating switch. **How that information is gathered by the SSP** may depend on the SSP type, but the operation at the SCP is **not affected** by the switch type of the SSP. Not only does the

SCP in the Sabinson patent not decide on any course of action in any way dependent on the type of switch at the originating end of the call, but **no decision regarding the use of the required information is made anywhere in the system** based on the type of switch. As discussed above, each type of switch in the Sabinson patent may have its own internal process to provide the required information to the SCP, but the **process at the SCP doesn't change based on the switch type.**

Similarly, if a switch in the Sabinson patent isn't connected to the SCP, the call is forwarded to a switch that **is** connected to the SCP (col. 15, lines 56-61), and the required information is sent from **that** switch to the SCP. Again, no change in process at the SCP is accomplished based on the SSP switch type.

Therefore, the present invention, which discloses an SCP that, after looking up the associated CPR instructions (which depend on the type of switch involved in the call), **selects an appropriate method** for implementing the routing functionality, is not rendered unpatentable by the Sabinson patent.

III. The Pending Claims Are Patentable

Applicant will now point out the features of the individual claims which render them patentable over the applied reference.

1. Claims 7-11 are patentable over the Sabinson Patent

Claim 7 is patentable because it recites:

> A method of providing an automatic route selection service **using a service control point**, the method comprising:
>
> receiving automatic route selection service information corresponding to a service subscriber; and
>
> **selecting a method for implementing the automatic route selection service** for the service subscriber, **from a plurality of different implementation methods, as a function of type of telephone switch which serves as an end office switch** for said service subscriber, a first one of the plurality of different implementation methods using a switch based automatic route selection table, a second one of the plurality of different

implementation methods using a non-switch based automatic route selection table; and

incorporating automatic route selection information used to implement the selected automatic route selection method into a call processing record accessible by a service control point.

Therefore, independent claim 7 is patentable over the Sabinson patent. Claims 8-11 are also patentable as they depend from claim 7.

2. **Claim 12 is patentable over the Sabinson Patent**

Claim 12 recites:

A system for providing an automatic route selection service to an automatic route selection service subscriber, the system comprising:

a telephone switch coupled to a telephony device used by said subscriber; and

a service control point coupled to said telephone switch, the service control point including control logic used to access a non-switch based automatic route selection table as part of a service control point based automatic route selection service provided to said service subscriber, the **service control point further comprising:**

means for selecting a method for implementing the automatic route selection service for the service subscriber, **from a plurality of different implementation methods, as a function of type of telephone switch which serves as an end office switch** for said service subscriber, a first one of the plurality of different implementation methods using a switch based automatic route selection table, a second one of the plurality of different implementation methods using a non-switch based automatic route selection table.

For the reasons discussed above, claim 12 is patentable over the Sabinson patent.

IV. Conclusion

In view of the foregoing remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, Applicant requests that the Examiner pass this application to issue.

If there are any outstanding issues which need to be resolved to place the application in condition for allowance the Examiner is invited to contact Applicant's undersigned representative by phone to discuss and hopefully resolve said issues. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made, the fee for which should be charged to Patent Office deposit account number 07-2347.

Respectfully submitted,

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January 23, 2006
Date